

Thomas, Bernadette - AMS

From: Heselmans, Guus <GuusHeselmans@meijer-potato.com>
Sent: Wednesday, July 11, 2012 5:16 AM
To: AMS - PVPOmail; Thomas, Bernadette - AMS
Cc: Judith de Roos (j.deroos@plantum.nl)
Subject: reaction on USA PVP form - C. Meijer BV potato

Dear Mrs. Thomas,

First of all thank you for the opportunity to react on the new procedures for filing a PVP application. I will give a reaction for us a applicants for PVP for potato varieties.

Concerning the application forms:

1. The preparatory activities that are necessary to obtain the information necessary for the new form ST 470 is estimated 6-9 hours after which the filling in of the form takes another 1,5 hours. But often there are additional questions for clarification that require another 3 hours to answer.
2. At this moment the applicant is asked to give the full pedigree of the variety (form A). This is not considered necessary for the distinctness of the variety. Distinctness can only be assessed by comparing the variety to the most resembling varieties as done by DUS examination and as C. Meijer believes a DNA fingerprint can be a very strong additional (not replacing) tool as well.
3. Most concern for us is exhibit C. The US PVP Office requests much more information than is recommended by UPOV. We organize specific DUS examination trials at our breeding station for USA application which is costly and time-consuming. For us the most favorable option would be if the US would be able to take over DUS reports from other UPOV members. This will save time and money, will facilitate the work of the PVP Office and will stimulate further international harmonization. Take in consideration the remark made on DNA fingerprint in second bullet as well.
4. Also time consuming is Exhibit D in which Evidence in Support of Variety Distinctness is needed on quantitative characteristics. Although it is optional, USA is the only country as far as I know that asks for this evidence. A morphologic description as it is now in exhibit C or as already plead the UPOV DUS examination should be sufficient proof of distinctness. For same reason only qualitative characteristics should be enough to give statement of distinctness in Exhibit B. An option is to make Exhibit B quantitative part and Exhibit D only applicable for EDV. At least please indicate what "optional" means for the applicant in case of exhibit D.

We are happy that there is a PVP system in the US, but for potato the protection period is very short, in most countries protection period is 25-30 years. This is another discussion, but I would like to take the opportunity to comment on that as well.

Best regards,

Guus Heselmans

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